



United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Rd.

Anchorage, Alaska 99503-6199

IN REPLY REFER TO:

AFES/MMM

JAN 23 2007

Dr. Bill Streever
Leader – Environmental Studies
BP Exploration (Alaska) Inc.
900 East Benson Boulevard
P.O. Box 196612
Anchorage, Alaska 99519-6612

Dear Dr. Streever:

This responds to the letter BP Exploration (Alaska), Inc. (BPXA), submitted to the U.S. Fish and Wildlife Service (USFWS) dated December 7, 2006 requesting a Letter of Authorization for the incidental take of polar bears during the Milne Point Unit Viscous Vision Seismic Survey.

Enclosed is a LOA (07-02) that would allow BPXA to take small numbers of polar bears incidental to oil and gas industry exploration activities at the location identified in your LOA request. The Milne Point Unit Viscous Vision Seismic Survey covers an area approximately 100 square miles, mainly within the boundary of the Milne Point Unit and incorporates the S Pad Infill Survey by name. The survey is primarily onshore with some offshore data collection, which is limited to the 3m bathymetry line and primarily on grounded ice. The activities to be conducted are related to the geophysical land data acquisition of 3D seismic data with a vibroseis source. This includes the deployment of receiver geophones, telemetry cables and telemetric station units on the ground in a symmetric array. A mobile field camp of approximately 125 personnel will conduct the project. The proposed start date for this project is February 2007.

If any changes develop in your project during the 2007 winter season, such as activities or location, please notify the Marine Mammals Management Office prior to the planned operation. This would allow us to evaluate the activity and, if appropriate, amend your LOA.

Through this letter BPXA has also requested intentional take authorization to deter polar bears. BPXA requested and was granted Intentional take authorization for the 2007 calendar year for activities to be conducted within the BPXA-operated North Slope oil fields (#07-INT-01). This authorization was sent to you and was dated January 4, 2007. This authorization (#07-INT-01) will also include the Milne Point Unit Viscous Vision Seismic Survey. All provisions contained within authorization (#07-INT-01) are incorporated by reference into this LOA.

Polar bear conservation has benefited from monitoring programs associated with the Incidental Take program since 1993, when BPXA originally petitioned the USFWS for the development of Incidental Take regulations. One important aspect of monitoring is obtaining an understanding of polar bear denning ecology in the Beaufort Sea. This knowledge includes a better understanding of the location of dens in the nearshore and coastal areas. Polar bear managers and researchers, in cooperation with BPXA and other companies, are currently conducting numerous studies investigating different aspects of polar bear denning in the Beaufort Sea in order to better manage and conserve polar bear populations. These studies are concentrated on the Jones Island group, those barrier islands located north of Milne Point and approximately 3-4 miles northwest of your proposed activity. These studies have included the assessment of natural den habitat, characteristics, and locations; assessment of industrial sound and vibration received in polar bear dens; behavior of polar bears during den emergence, as well as methods to detect denning polar bears. We appreciate BPXA's support to Dr. Tom Smith and our office for the behavioral study of polar bear families emerging from dens. Your support has been providing lodging and transportation through Shared Service flights from Anchorage to Prudhoe Bay. While this LOA is not conditional on BPXA's support for the den emergence study we are hopeful that this important contribution can be continued in 2007 and future years.

Although the Jones Island group and the mainland, staging pad is outside your area of activity, there are at least four, or five known polar bear dens in this area. Increased monitoring and mitigation measures and options to minimize the impact of industrial activities are under consideration for this area, including one-mile exclusion zones around each known den (see attached map). Due to their importance as polar bear denning habitat, the larger barrier islands, such as Pingok, Cottle, Bodfish, and Bertoncini islands, are areas where the Service prefers to minimize disturbance to possible denning bears. Be aware of these areas, especially when conducting you seismic activities in the near shore areas of Simpson Lagoon and report any polar bear activity in the vicinity immediately.

Historical polar bear denning activity reveals that polar bear denning habitat occurs along creek cutbanks and river bluffs. Approximately 1782 miles (2870 km) of potential polar bear denning habitat is located between the Colville River and the Canning River; of that, approximately 300 miles (480 km) of potential polar bear habitat occurs within the boundaries of the above-mentioned Oilfield Units (see enclosed maps). Disturbance during denning could lead to abandonment of dens and possible mortality to cubs. Use caution when operating near these areas during the maternal denning period (late October to mid April). The U.S. Geological Survey has posted information identifying polar bear denning habitat and GIS coverage available for downloading from the Alaska Science Center (ASC) website, plus associated documents. The den habitat map (ARC/INFO export file), the mapping manuscript (PDF file) and a picture of den habitat (JPG file) are now available on the ASC website (<http://www.absc.usgs.gov/dataproducts.htm>). Use these resources when planning activities in potential denning areas in the MPU and contact us immediately if any dens are found in the oilfield units during your survey. In addition, biologists with the USFWS are also available for consultation if questions or concerns about arise regarding polar bears and walrus during this authorization.

This authorization is issued in accordance with our regulations listed at 71 FR 43926, dated August 2, 2006. These regulations will expire on August 2, 2011. Should you have any further questions contact Mr. Craig Perham of our Marine Mammals Management Office at (907) 786-3800 or 786-3810.

Sincerely,

A handwritten signature in black ink, appearing to read "Rosa Meehan". The signature is fluid and cursive, with the first name "Rosa" and last name "Meehan" clearly distinguishable.

Rosa Meehan, Ph.D.
Marine Mammals Management

Enclosure

cc: Mr. Richard Shideler, ADF&G
FFWFO
LE



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Rd.

Anchorage, Alaska 99503-6199

MMM

ISSUED: February 1, 2007

EXPIRES: May 31, 2007

LETTER OF AUTHORIZATION (07-02)

BP Exploration (Alaska), Inc. (BPXA) is hereby authorized to take small numbers of polar bears incidental to activities occurring during the Milne Point Unit Viscous Vision Seismic Survey. The Milne Point Unit Viscous Vision Seismic Survey covers an area approximately 100 square miles, mainly within the boundary of the Milne Point Unit and incorporates the S Pad Infill Survey by name. The survey is primarily onshore with some offshore data collection, which is limited to the 3m bathymetry line and primarily on grounded ice. The activities to be conducted are related to the geophysical land data acquisition of 3D seismic data with a vibroseis source. This includes the deployment of receiver geophones, telemetry cables and telemetric station units on the ground in a symmetric array. A mobile field camp of approximately 125 personnel will conduct the project.

The LOA is valid from the date of issuance to May 31, 2007. This authorization and the required conditions below include contractors of BPXA performing BPXA-approved work under the scope of operations to be conducted. Authorization is subject to the following conditions:

1. The polar bear interaction plan (The BPXA Polar Bear Interaction Plan for the Operating Units; Revision date October 30, 2003) is approved and all provisions are incorporated by reference as conditions of this authorization and must be complied with unless specifically noted otherwise in this Letter of Authorization. A copy of this polar bear interaction plan must be available on site for all personnel.
2. All personnel associated with this project, will have polar bear awareness training.
3. BPXA Operations Managers, or their designates, must be fully aware, understand, and capable of implementing the conditions of this authorization.
4. Intentional take is prohibited under this authorization.
5. This authorization is valid only for those activities identified in the request for a Letter of Authorization dated December 7, 2006.

6. Polar bear monitoring, reporting, and survey activities must be conducted in accordance with 50 CFR section 18.128. In addition, BPXA must comply with the following monitoring, mitigation, and reporting requirements:
- BPXA must cooperate with the Fish and Wildlife Service, and other designated Federal, State, or local agencies to monitor the impacts of oil and gas exploration activities on polar bears;
 - BPXA must not conduct activities that operate nor pass within 1 mile of known polar bear dens, and all observed dens must be reported to the Marine Mammals Management Office, Fish and Wildlife Service immediately. Should occupied dens be identified within one mile of activities, work in the immediate area will cease and Service must be contacted for guidance. The Service will evaluate these instances on a case-by-case basis to determine the appropriate action. Potential actions may range from cessation or modification of work to conducting additional monitoring, and BPXA must comply with any additional measures specified.
 - BPXA must designate a qualified individual or individuals to observe, record, and report the effects of the activity on polar bears to the Service within 24 hours of visual observation.
 - If requested, track lines of the seismic surveys will be made available to the Service by BPXA.
 - If any changes develop in your project during the 2007 winter season, such as activities or location, notify the Marine Mammals Management Office prior to the planned operation.
 - Every polar bear observed will be recorded on a Polar Bear Observation Form. Information within the observation report will include, but is not limited to:
 1. Date
 2. Time
 3. Observer name
 4. Contact number/email
 5. Location, with latitude, longitude, and datum, if applicable
 6. Weather conditions at time of observation
 7. Temperature
 8. Visibility
 9. Number of bears: sex and age
 10. Estimated closest point of bears from personnel and facilities
 11. Possible attractants present
 12. Bear behavior

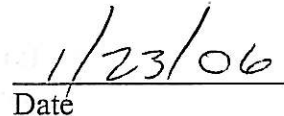
13. A description of the encounter
14. Duration of the encounter
15. Type of Deterrents used and distance from bear when used
16. Agency/Contacts

- Evidence of polar bears, such as tracks, carcass, or dens, will also be reported;
- At the discretion of the Fish and Wildlife Service, BPXA must allow the Fish and Wildlife Service to place an observer on the site to monitor the impacts of the activity on polar bears;
- BPXA must submit an annual monitoring report to the Marine Mammals Management Office as required under 18 CFR 18.128(f), which will be received by August 31, 2007.

7. This authorization expires May 31, 2007.



Chief, Marine Mammals Management



Date